

Application No.: 10/735019
Docket No.: CL2029USNA

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REMARKS

Claims 1-12 are in the case. The claims have been made subject to a requirement to restrict. The examiner finds that the claims contain prohibitively large number of inventions by virtue of the recitation of the 5 discrete mutations *thrS*, *rpsA*, *rpoC*, *yjeR*, and *rhoL*. The examiner requires Applicants elect one combination for examination, with "1-5 of the mutations being present".

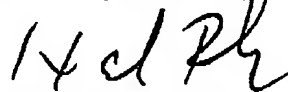
Applicants are not entirely certain of what the examiner is requesting, in that an election with 1-5 of the mutations being present could be interpreted to mean claims containing all of the mutations, however applicant's presume that the request is to elect a single mutation for examination. That being the case Applicants elect the *thrS* mutation without traverse. Applicants have not amended the claims to remove non-elected subject matter until there is clarification on the scope of the restriction.

The above Election of Claims does not alter the inventorship of the application.

Applicants reserve the right to file a divisional application to the non-elected matter. In making this election Applicants make no representations or admissions regarding the reasoning employed by the Examiner in support of the restriction.

Should there be any fee due in connection with the filing of this Response To Restriction Requirement please charge such fee to Deposit Account No. 04-1928 (E. I. du Pont de Nemours and Company).

Respectfully submitted,



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